



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re applications of:

Oleg V. Bougri et al.

Appln. No. 09/837,604

Filed: April 18, 2001

For: Nucleic Acid Molecules and Other Molecules
Associated with Plants

Art Unit: To be assigned

Examiner: To be assigned

Atty. Docket: 38-21(51892)B

Commissioner for Patents
Washington, DC 20231

Certificate of Mailing

I hereby certify that this Response to Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

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GRACIE WILLIAMS

(Printed name of person signing this certificate)

Gracie Williams

(Signature)



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**Response to Notice to Comply With Requirements For Patent Applications Containing
Nucleotide And/Or Amino Acid Sequence Disclosures**

Commissioner for Patents
Washington, DC 20231

Sir:

In response to the Notice to Comply Nonprovisional Application - Filing Date Granted dated April 18, 2001, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Copy of Notice to Comply of Nonprovisional Application - mailed on January 24, 2003;
2. Response to Notice to comply;
3. (CRF) Replacement Copy of Sequence Listing;
4. Statement Regarding Sequence Submission;
5. Certificate of Mailing for Statement Regarding Sequence Submission;
6. Certificate of Mailing for Response to Notice to Comply; and
7. a return-receipt prepaid postcard.

It is respectfully requested that the attached prepaid postcard be stamped with the date of filing of these documents and be returned to us as soon as possible. In the event that extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned.

The Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit account No. 13-4125, referencing matter number 38-21(51892)B. A duplicate copy of this Response is enclosed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Pamela J. Sisson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Pamela J. Sisson
(Reg. No.: 53,600)

Date: March 11, 2003

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Commissioner for Patents
Washington, DC 20231
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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/837,604 | 04/18/2001 | Oleg V. Bougri | 38-21(51892)B |

CONFIRMATION NO. 3406

Lawrence M. Lavin, Jr.
Patent Department, E2NA
Monsanto Company
800 N. Lindbergh Boulevard
St. Louis, MO 63167

FORMALITIES LETTER



OC000000009420764

Date Mailed: 01/24/2003

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES**

Filing Date Granted

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c) Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*

x NA

A handwritten signature, possibly reading "DE", is written above a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY